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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/606,376

06/24/2003

Hui-Kai Chou

JCLA11125

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10/26/2006

J C PATENTS, INC.
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IRVINE, CA 92618

EXAMINER

PAYNE, SHARON E

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 10/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/606,376

Applicant(s)

CHOU ET AL.

Examiner

Sharon E. Payne

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-15 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-15 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 13-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Amano (JP 04033202 A).

Regarding claim 13, Amano discloses a frame having a middle region (Fig. 1, bottom), at least two U-shaped lamp tubes (reference numbers 3b and 3c) disposed inside the frame (Fig. 2), wherein each of the two U-shaped lamp tubes has at least one corner (Fig. 2), the two adjacent U-shaped lamp tubes are respectively positioned at two sides of the frame (Fig. 2) and the corners of the U-shaped lamp tubes are at the middle region of the frame while viewing from a direction perpendicular to the frame (Fig. 2) and a diffusion plate (reference number 15) inside the frame above the lamp tubes (Fig. 3). (The middle region is between the top region and the bottom region in Fig. 2 and extends all the way between the left side of the frame and the right side of the frame, and Fig. 2 shows a view from a perspective perpendicular to the back of the frame, which is perpendicular to the frame.)

Concerning claim 14, Amano discloses the electrodes of the adjacent U-shaped lamp tubes being respectively adjacent to the opposite sides of the frame (Fig. 1, see location of holes for the electrodes adjacent the opposite sides of the frame).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Amano in view of another embodiment of Amano (see Fig. 4). (This is a 35 USC 103 rejection, because different embodiments of Amano are being combined.)

Regarding claim 15, Amano discloses the electrodes of the U-shaped lamp tube inside each lamp tube module (reference numbers 8a and 8b) face one of the side edges of the frame (Fig. 4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of the embodiment of Fig. 4 of Amano in the apparatus of Figs. 1 and 2 of Amano to enable one to connect the apparatus to a source of power conveniently outside of the frame. See Fig. 4 of Amano.

5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Amano.

Regarding claim 17, Amano does not specifically show the two adjacent lamp tubes being disposed in a mirror symmetric manner.

Disposing the lamp tubes in a mirror symmetric manner is considered to be an obvious variation. Since the lamp tubes are well known in the art, it would have been obvious to one of ordinary skill in the art at the time the invention was made to put the lamp tubes in the frame in a mirror symmetric manner to make the light output symmetric, since rearranging parts involves only routine skill in the art. See M.P.E.P. 2144.04.

Response to Arguments

6. Applicant's arguments filed 8/21/06 have been fully considered but they are not persuasive. Applicant argues that the two U-shaped lamps are not adjacent to each other. To the contrary, lamps 3b and 3c in Fig. 2 are adjacent to each other. One leg of lamp 3b is right next to one leg of lamp 3c.

Applicant also argues that the corners are not in the middle region. To the contrary, the corners are on the flat portion of the frame between the upper region and the lower region of the frame. Even though the corners are on the right and the left, the middle region of the frame can be defined as the region between the top and bottom. Thus the corners are in the middle region of the frame. Even with the amendment concerning the viewing perspective, Fig. 2 shows a perspective that is perpendicular to

the back side of the frame, which meets the limitation that the viewpoint be perpendicular to the frame.

The new claim is rejected for the reasons specified above, and the arguments regarding the new claim are seen as moot.

The arguments regarding claim 15 are not accepted, because they stand or fall with the arguments regarding claim 13.

Conclusion

7. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharon E. Payne whose telephone number is (571) 272-2379. The examiner can normally be reached on regular business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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